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Attorneys for Defendant
INTUIT INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

**IN RE HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:
All Actions

Case No. 11-CV-2509 LHK

**DECLARATION OF CATHERINE T.
ZENG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

1 I, CATHERINE T. ZENG, declare:

2 1. I am an attorney at law, duly admitted to practice in the State of California and
3 before this Court. I am an associate at the law firm of Jones Day, counsel for Defendant Intuit
4 Inc. (“Intuit”) in the above captioned action. I submit this Declaration in support of Defendants’
5 Administrative Motion to Seal. As one of the attorneys involved in the defense of this action,
6 unless as otherwise stated, I have personal knowledge of the facts stated in this Declaration and if
7 called as a witness I could and would testify competently to them.

8 2. I have reviewed Defendants’ Opposition to Supplemental Class Certification
9 Motion (“Opposition Brief”), including the Expert Report of Kevin. M. Murphy, the Expert
10 Report of Kathryn Shaw, PhD, as well as the exhibits to the declarations of Christina Brown and
11 Lin Kahn filed in support thereof. As described below, the information requested to be sealed
12 quotes from or describes Intuit’s recruiting or compensation methods, strategies, data, and
13 practices. Intuit has designated this information as “CONFIDENTIAL” or “HIGHLY
14 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the Stipulated Protective Order in
15 this case.

16 3. As noted in the January 22, 2013 Declaration of Lisa K. Borgeson In Support of
17 Renewed Administrative Motion to File Under Seal (Dkt. No. 285) (“Borgeson Declaration”) Intuit’s salary and compensation data, strategies and methods are non-public, highly sensitive and
18 confidential, and private to Intuit and its employees. Moreover, Intuit’s recruiting strategies,
19 methods, data and practices are also non-public and proprietary to Intuit. Therefore, information
20 pertaining to Intuit’s recruiting and compensation methods, strategies, practices and data is
21 confidential and public dissemination of that information could cause Intuit competitive harm.

22 4. Intuit seeks to keep the following redacted portions of the exhibits attached to the
23 Declaration of Christina Brown in Support of Defendants’ Opposition under seal:

- 24
- 25 • **Excerpts from the deposition of Chris Galy** pages 215:15-217:11, 217:16-19,
26 218:10-25, contain confidential information pertaining to Intuit’s compensation
27 methods and schemes. This is confidential internal Intuit information that pertains
28 to Intuit’s compensation and recruiting methods, strategies, practices and data.

1 Additionally, these pages contain salary information for specific employees which
 2 is confidential and private. These employees have not sought to put information
 3 about their salaries in the record.

- 4 • **Excerpts from the deposition of Kevin Hallock** pages 135:12-15, 135:3-6,
 5 136:22, 136:24, contain confidential information about Intuit's practices with
 6 respect to specific compensation actions, philosophies and decisions. This is
 7 confidential internal Intuit information that pertains to Intuit's compensation
 8 methods, strategies, practices and data.

9 5. Intuit seeks to keep the following redacted portions of Kevin M. Murphy's Expert
 10 Report under seal:

- 11 • **Exhibits 1 & 2**, contain specific salary information for certain job titles at Intuit
 12 including the specific percent distribution of salaries among employees in that
 13 title. Intuit only seeks to redact the Intuit job titles from these exhibits. This is
 14 confidential internal Intuit information that pertains to Intuit's compensation
 15 methods, strategies, practices and data.
- 16 • **Appendix B**, contains confidential information about specific job titles at Intuit.
 17 This is confidential Intuit information that pertains to Intuit's compensation and
 18 employee management practices.

19 6. Intuit seeks to keep the following redacted portions of Kathryn Shaw's Expert
 20 Report under seal:

- 21 • **Page 21, portion of paragraph 56**, contains confidential information about
 22 Intuit's compensation practices including specific data inputs and market data.
 23 This is confidential internal Intuit information that pertains to Intuit's
 24 compensation methods, strategies, practices and data.
- 25 • **Page 21, portion of footnote 29**, contains confidential information about Intuit's
 26 compensation practices including specific data inputs and market data. This is
 27 confidential internal Intuit information that pertains to Intuit's compensation
 28 methods, strategies, practices and data.

- **Page 24, portion of footnote 36**, contains confidential information about Intuit's compensation practices including specific compensation actions, philosophies and decisions. This is confidential internal Intuit information that pertains to Intuit's compensation methods, strategies, practices and data.
- **Page C-7, portion of paragraph 20**, contains confidential information about Intuit's compensation practices with respect to specific compensation actions, philosophies and decisions. This is confidential internal Intuit information that pertains to Intuit's compensation methods, strategies, practices and data.
- **Page D-6, portion of paragraph 17**, contains confidential information about Intuit's compensation practices with respect to new hires, specific data inputs, and specific compensation actions, philosophies and decisions. This is confidential internal Intuit information that pertains to Intuit's compensation methods, strategies, practices and data.
- **Page D-7, portions of paragraph 18**, contains confidential information about Intuit's compensation practices with respect to new hires, specific data inputs, and specific compensation actions, philosophies and decisions. This is confidential internal Intuit information that pertains to Intuit's compensation methods, strategies, practices and data.
- **Appendix E1, Manager and Employee Counts by Employers and Titles Technical Class 2005-2009**, contains confidential information about specific job titles at Intuit. This is confidential Intuit information that pertains to Intuit's compensation and employee management practices.

7. Intuit seeks to keep the following redacted portions exhibits attached to the Declaration of Lin Kahn under seal:

- **Exhibit 7, excerpts from the deposition of Mason Stubblefield** pages 23:1-9, 23:13-25:1, 25:5-10, 31:1-5, 31:7-12, 31:14-19, 31:21-23, 32:8-33:9, 108:1-10, 108:14-16, 108:19-24, 109:6-16, 109:23-25, 110:5-11, 116:1-2, 116:7-14, 117:13-18, 117:25-118:4, 118:20-25, 130:8-20, 131:3-11, 131:14-132:1, 132:4-20, contain

1 confidential information regarding Intuit's practices with respect to compensation
2 methods pertaining to new hires, specific data inputs, market data, total
3 compensation, compensation systems and tools, and specific compensation
4 actions, philosophies and decisions. This is confidential internal Intuit information
5 that pertains to Intuit's compensation methods, strategies, practices and data.

- 6 • **Exhibit 30, INTUIT_043603**, contains confidential information pertaining to
7 Intuit's compensation practices including budget numbers, inputs, decision
8 processes and evaluations. This is confidential internal Intuit information that
9 pertains to Intuit's compensation methods, strategies, practices and data.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
11 true and correct. Executed on this 21st day of June, 2013 in San Francisco, California.

12 /S/ Catherine T. Zeng
13 Catherine T. Zeng

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